



P/2107-253

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Achim WEBER

Date: March 21, 2007

Serial No.: 10/500,425

Group Art Unit: 1645

Filed: September 7, 2004

Examiner: Melanie J. Yu

For: **IMPROVED STRUCTURES-FUNCTIONAL BONDING MATRICES FOR BIOMOLECULES**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In the Office Action mailed January 25, 2007, claims 1-65, 78, 80, 82, 84, 86, 88 and 92-96 are pending and these claims are subject to both a restriction requirement and a species election requirement.

In particular, in accordance with 37 C.F.R. 1.499 applicants are required to elect a single invention from among Groups I - IV. In response, applicants elect with traverse the claims of Group I, constituting claims 1-46 drawn to a functional element comprising the special technical feature of a microstructure, for continued prosecution in this application. Applicants specifically maintain their right to pursue patent protection for one or more of the non-elected claims in a later-filed divisional patent application.

The Office Action additionally requires as indicated above a species election. According thereto, if Group I is elected ONE species from each of groups A-E (see p. 5) must also be elected. The following species elections are therefore made with traverse: Group A - a planar carrier surface (claim 4 is specific); Group B - bonding agent which is a polymer with charged/uncharged reactive groups (claim 8 is specific); Group C - a spacer located between the first functional groups and the nanoparticle surface (claim 22 is specific); Group D - the core of the nanoparticle being an organic polymer (claim 25 is specific); and Group E - wherein the

function is anchored in the core of the nanoparticle (claim 31 is specific). As further indicated at p. 5 of the Office Action, claim 1 is generic to all of the above-indicated species.

CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 21, 2007:

Mark A. Farley

Name of applicant, assignee or
Registered Representative

Mark A. Farley

Signature

March 21, 2007

Date of Signature

Respectfully submitted,

Mark A. Farley

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